

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA
ex rel

Mr. ADRIAN SHAWN DALE HOLMES

Full name & prison number
(if any) of Petitioner

Director of B.O.P. v. Director of Grand Prairie, Texas
General Counsel v. Warden, D.A. Bledsoe, ^{103cc} ~~David Young~~
(Ms. Kavelen) CMC Mr. Dunkerburger
Regional Director J.L. Norwood, Unit Manager Mr. Adams
Name of Respondent Case Manager Mr. Kissel

NO.

Mr. Radmet-Records

D.A. Steven H. Cook

Chief Probation Officer Tony V. ANDERSON

(See Attachment For Addresses)

FILED
SCRANTON

APR 19 2011

(PERSONS IN FEDERAL CUSTODY)

PETITION FOR WRIT OF HABEAS CORPUS

Instructions - READ CAREFULLY

Per.  DEPUTY CLERK

1. In order for this petition to receive consideration by the District Court, it shall be in writing (legibly handwritten or typewritten), and the unsworn declaration signed by the petitioner. It shall set forth in concise form the answers to each applicable question. If necessary, petitioner may finish his answer to a particular question on the reverse side of the page or on an additional blank page. Petitioner shall make it clear to which question any such continued answer refers.

2. Any false statement of a material fact therein may serve as the basis of prosecution and conviction for perjury. Petitioners should therefore exercise care to assure that all answers are true and correct.

3. When the petition is completed, the original and three copies shall be mailed to the Clerk, United States District Court, Middle District of Pennsylvania, P.O. Box 1148, Scranton, Pa. 18501.

If you are unable to pay the \$5.00 filing fee for this action, you may petition the court to proceed in forma pauperis. Two blank petitions for this purpose are included in this packet. One copy should be filed with your complaint; the other copy is for your records.

Director of BxOxPr - Unknown

General Counsel Ms. Kathleen - 320 First Street, N.W. ^{Room 177 HCLC} Washington, D.C. 20534

Regional Director, JxLx Norwood
Federal Bureau Of Prisons, Northeast Regional Office, UxSx Custom House - 7th Floor,
2nd And Chestnut Streets, Philadelphia, PAx 19106

District Attorney Steven Hx Cook - Eastern District Of Tennessee, 800 Market Street,
Suite 211, Knoxville, Tennessee 37902-2312

Warden-BxAx Bledsoe, CMC-Mrx Dunkenburger, Records-Mrx Radermel, Unit Manager-Mrx
Adami, Case Manager-Mrx Kissel, - PxOx Box 1000, Lewisburg, PAx 17837

Director Of Designation And Sentence Computation Center (DSCC) - Designation And
Sentence Computation Center, Grand Prairie Office Complex, UxSx Armed Force
Reserve Complex, 346 Marine Forces Drive, Grand Prairie, Tx. 75051.

Tony Vx Anderson, Chief Probation Officer - United States Probation, Howard H.
Baker Jrx, United States Courthouse, Suite 311, 800 Market Street,
Knoxville, Tennessee 37902.

1. Place of detention U.S. R. Lewisburg, P.O. Box 7000, Lewisburg, PA, 17837
2. Name and location of court which imposed sentence KNOXVILLE
TENNESSEE, EASTERN DISTRICT
3. The indictment number or numbers (if known) upon which and the offense or offenses for which sentence was imposed:
 - (a) 3:98-CR-06-001
 - (b) _____
 - (c) _____
4. The date upon which sentence was imposed and the terms of the sentence:
 - (a) Jan. 22, 1999, 180 months 18 yrs.
 - (b) _____
 - (c) _____
5. Check whether a finding of guilty was made
 - (a) after a plea of guilty _____
 - (b) After a plea of not guilty ✓
 - (c) after a plea of nolo contendere _____
6. If you were found guilty after a plea of not guilty, check whether that finding was made by
 - (a) a jury ✓
 - (b) a judge without a jury _____
7. Did you appeal from the judgment of conviction or the imposition of sentence? ("yes")

8. If you answered "yes" to (7), list

(a) the name of each court to which you appealed:

1. Direct Appeal Knoxville District
11. Sixth Circuit Of Appeals In Cincinnati Ohio
111. 2 Level Reduction (Crack Law)

(b) the result in each such court to which appealed:

1. Denied
11. Denied / Grand
111. Grand New 2 Level Reduction

(c) the date of each such result:

1. 1999/2000 etc.
11. 2008
111. 2009 Dec. 14th or 2009

(d) if known, citations of any written opinions or orders entered pursuant to such results:

1. The Order Was Sent To Re-Signation And Sentence Computation Center (OSCC)
11. By Judge Thomas W. Phillips, District Judge.
111. _____

9. State concisely the grounds on which you base your allegation that you are being held in custody unlawfully:

- (a) Once My Time Had Change From 180 mo. 18 yrs. To Now 168 Mo. 14 yrs. (Which Should Have Been Immediately Because Of The Two Level Reduction Put Me At Level 24 100-100) - Matthews Is on A 13 yrs. Of Incarceration On A New 14 yrs. Sentence.
- (b) Matthews Is Doing Excessive Time/ Also Inside Of Matthews Central File There **NOT** Showing The New Presentence Report Nor The Order That Must Be IN SIDE

(c)

10. State concisely and in the same order the facts which support each of the grounds set out in (9):

(a) Mr. & Mrs. HOLMES, were ^{supposed} To Be Immediately Released

(b) They Have Change The Release Date From April To June (The Warden B. A. Bledsoe & Mr. David Young Has Done The Second Change Not 1x. Back In March of 1960 To "By Release April 201

(c) On A 14 yrs Sentence At 88% You Do 12 yrs And Sentence, Mr. Holmes, Is Now Increasing to A 13 yrs Bid Serving Time; Mr. HOLMES, Is Also Drawing on his own Time. Constitutional & Amendment Violations.

(See: Exhibits As Proof They Are Attack As Evidence)

11. Have you filed previous petitions for habeas corpus motions under Section 2255 of Title 28, United States Code, or any other applications, petitions or motions with respect to this conviction:

§ 2244 Yes

12. If you answered "yes" to (11), list with respect to each petition, motion or application

(a) the specific nature thereof:

1. § 2244 On The Respect That J. M. HOLMES Should Have Given
11. his Full Term of 2 Level Reduction At Level 24 (100-105) Not 12 Month Off
111. That Do Not Fit With The Standard Procedure

(b) the name and location of the court in which each was filed.

1. Sixth Cir. Of Appeals In Cincinnati, Ohio
11. Knoxville, Tennessee
111. _____

(c) the disposition thereof.

1. Case No. 09-5490 Was Where The Order To Change The Time Was
11. Made by Judge: Thomas W. Phillips
111. Case No. 10-6211, IS, because More Than 12 Month Should Have Been

(d) the date of each such disposition:

1. 09-5490 2009 Dec. 14, 2009 Fact: Yes 2009
11. _____
111. _____

(e) If known, citations of any written opinions or orders entered pursuant to each such disposition:

1. 19-8490 Was Order Dec. 14, 2010

11. _____

111. _____

13. If you did not file a motion under Section 2255 of Title 28 United States Code, or if you filed such a motion and it was denied, state why your remedy by way of such motion is inadequate or ineffective to test the legality of your detention:

(a)

(b)

(c)

14. Has any ground set forth in (9) been previously presented to this or any other federal court by way of petition for habeas corpus, motion under Section 2255 of Title 28, United States Code, or any other petition, motion or application: *The Crack Law What Created The Action*

Over Done Time

15. If you answered "yes" to (14), identify

(a) which grounds have been previously presented:

1. 2 Level Reduction

11. _____

111. See Supplemental Brief

(b) the proceedings in which each ground was raised:

1. _____

11. See Supplemental Brief

111. _____

16. Were you represented by an attorney at any time during the course of _____

See Supplemental Brief

(a) your arraignment and plea: Attach

(b) your trial, if any: _____

(c) your sentencing: _____

(d) your appeal, if any, from the judgment of conviction or the imposition of sentence? _____

(e) preparation, presentation or consideration of any petitions, motions or applications with respect to this conviction, which you filed: _____

17. If you answered "yes" to one or more parts of (16), list

(a) the name and address of each attorney who represented you:

1. _____

ii. _____

iii. _____

(b) the proceedings at which each such attorney represented you:

i. _____

ii. _____

iii. _____

18. If you are seeking leave to proceed in forma pauperis, have you completed the unsworn declaration setting forth the required information (see instructions, page 1 of this form).

Executed at U.S.P. Lewisburg, P.O. Box 1000, Lewisburg, PA, 17837
Name of institution, city, state

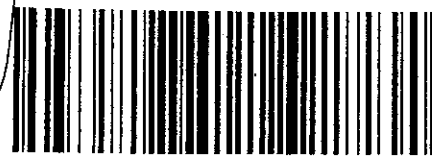
I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 10, 2011 - SUNDAY
Date

Mr. Adrian S. Holmes
Signature of Petitioner

Inmate Name: Mr Adrian S HOLMES
Register Number: #16553-014
United States Penitentiary
P.O. Box 1000
Lewisburg, PA 17837

(No Fee Enclosed)



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APR 15 2011

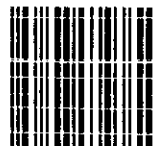


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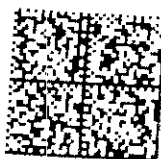
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